

Remarks

In response to the Office Action dated January 23, 2006, the Applicant respectfully requests reconsideration in view of the following remarks. In the present application, independent claims 1, 16, 18, and 21 have been amended. The claims have been amended to correct typographical and antecedent basis errors and to clarify that the vendor registration purpose code includes one or more classes of purposes related to a received e-mail, the classes including at least one of the following: promotions, billing, and advertising. Support for this amendment may be found on page 18, lines 5-11 in the Specification. No new matter has been added.

In the Office Action, claims 1, 8, 16, 18, and 21 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claims 1, 3, 7, and 16-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Greenstein (U.S. Patent No. 6,266,692) in view of Schiavone et al. (U.S. Published Patent Application No. 2002/0120702, hereinafter “Schiavone”). Claims 4-6, 8-12, 15, and 18-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Greenstein-Schiavone, and further in view of Paul (U.S. Patent No. 5,999,932).

Applicants' Statement of the Substance of the Interview

A brief telephonic interview between Applicant's representative Alton Hornsby, III (Registration No. 47,299) and the Examiner was held on March 21, 2006 to discuss independent claim 1 in view of the cited references Greenstein and Schiavone. In the interview, a discussion was held with respect to clarifying the feature “vendor registration purpose code.” With respect to the aforementioned feature, the Examiner indicated that a clarification of this feature in the claim might distinguish the cited references. It was then suggested by Applicant's representative that the cited references would be distinguished if claim 1 was amended to recite that the vendor registration purpose code includes one or more classes of purposes related to a received e-mail,

the classes including at least one of the following: promotions, billing, and advertising. In response, the Examiner agreed that the proposed amendment appeared to distinguish claim 1 from the cited references of record.

Claim Rejections - 35 U.S.C. §112

In the Office Action, independent claims 1, 8, 16, 18, and 21 are rejected as being indefinite because the phrase “by the recipient” lacks antecedent basis. As noted above in the section entitled “Amendments to the Claims,” the aforementioned claims have been amended to correct this error. Therefore, it is respectfully submitted that claims 1, 8, 16, 18, and 21 are now definite and the rejection of these claims should be withdrawn.

Claim Rejections - 35 U.S.C. §103

Claims 1, 3, 7, and 16-17

Claims 1, 3, 7, and 16-17 are rejected as being unpatentable over Greenstein in view of Schiavone. The rejection of these claims is respectfully traversed.

Amended independent claim 1 specifies a method of sorting e-mail. The method includes receiving an e-mail from an e-mail source, identifying whether the e-mail has a vendor registration code for identifying a vendor from whom the e-mail was forwarded, identifying whether the e-mail has a vendor registration purpose code for identifying the purpose of the e-mail, wherein the vendor registration purpose code includes one or more classes of purposes related to the e-mail, the classes including at least one of the following: promotions, billing, and advertising, if the e-mail has a vendor registration code that was previously assigned to the e-mail source and the e-mail has a vendor registration purpose code that was previously assigned by a recipient to the e-mail source, presenting the e-mail with other e-mails having vendor registration codes, and if the e-mail does not have a vendor registration code that was previously

assigned to the e-mail source or the e-mail does not have a vendor registration purpose code that was previously assigned to by the recipient to the e-mail source, sending a message to the e-mail source.

It is respectfully submitted that neither Greenstein nor Schiavone, alone or in combination, teaches, discloses, or suggests each of the features specified in amended independent claim 1. For example, neither Greenstein nor Schiavone disclose identifying whether an e-mail has a vendor registration purpose code for identifying the purpose of the e-mail, wherein the vendor registration purpose code includes one or more classes of purposes related to the e-mail, the classes including at least one of the following: promotions, billing, and advertising.

As noted in the Office Action, Greenstein, which discloses a method for blocking (i.e., filtering) unwanted email (i.e., spam) using a header-based password, fails to disclose a vendor registration purpose code. Schiavone, relied upon to cure the deficiencies of Greenstein, discloses a method and apparatus for the dynamic prioritization of electronic mail messages. In the Office Action, it is alleged that Schiavone teaches a vendor registration purpose code through the categorization of e-mail messages (see Figs. 6-7 and paragraphs 54-55). In other words, in the Office Action a “vendor registration purpose code” is interpreted as being synonymous with a category for sorting e-mail. However, as specified in amended independent claim 1, a vendor registration purpose code is not a category but includes a purpose related to a received e-mail from a vendor. The vendor purpose may belong to one or more of a number of classes including promotions (i.e., vendor promotions), billing, and advertising (i.e., vendor advertising). Thus, Schiavone, like Greenstein, fails to teach, disclose, or suggest e-mail having a vendor registration purpose code, as specified in amended independent claim 1.

Since neither Greenstein nor Schiavone teaches, discloses, or suggest each of the features specified in amended independent claim 1, claim 1 is allowable and the rejection of this claim should be withdrawn. Claims 3 and 7 depend from amended independent claim 1, and are thus allowable for at least the same reasons. Claim 16 recites similar features as amended independent claim 1 and thus is also allowable for at least the same reasons. Claim 17 depends from amended independent claim 16, and is thus allowable for at least the same reasons. Therefore, the rejection of claims 3, 7, and 16-17 should also be withdrawn.

Claims 4-6, 8-12, 15, and 18-26

Claims 4-6, 8-12, 15, and 18-26 are rejected as being unpatentable over Greenstein-Schiavone, and further in view of Paul. The rejection of these claims is respectfully traversed.

Claims 4-6 depend from amended independent claim 1, and are thus allowable over Greenstein and Schiavone for at least the same reasons. For example, neither Greenstein nor Schiavone, alone or in combination, teaches, discloses, or suggests identifying whether an e-mail has a vendor registration purpose code for identifying the purpose of the e-mail, wherein the vendor registration purpose code includes one or more classes of purposes related to the e-mail, the classes including at least one of the following: promotions, billing, and advertising, as specified in claims 4-6 (by virtue of their dependency from amended independent claim 1).

Paul, relied upon to cure the deficiencies of Greenstein and Schiavone, discloses a system and method of filtering unsolicited e-mail. Paul, however, like Greenstein and Schiavone, fails to teach, disclose, or suggest a vendor registration purpose code for identifying the purpose of the e-mail, wherein the vendor registration purpose code includes one or more classes of purposes related to the e-mail, the classes including at least one of the following: promotions, billing, and advertising. Instead, Paul discloses the filtering of e-mail messages utilizing an

inclusion list of desired sources for receiving e-mail. E-mail not on the inclusion list is further analyzed using heuristic processing techniques to distinguish undesired e-mail, such as junk mail, from e-mail received from sources not on the inclusion list (e.g., by comparing the “FROM” field in an e-mail to a predefined list of domains such as corporations or government organizations). See col. 2, lines 2-10 and col. 9, lines 32-47). Thus, since Paul fails to teach, disclose, or suggest each of the features specified in claims 4-6.

Based on the foregoing, claims 4-6 are allowable and the rejection of these claims should be withdrawn. Amended independent claim 8 recites similar features as claims 1 and 4-6, and thus is also allowable for at least the same reasons. Claims 9-12 and 15 depend from amended independent claim 8, and are thus allowable for at least the same reasons. Amended independent claim 18 recites similar features as amended independent claim 8, and thus is also allowable for at least the same reasons. Claims 19-20 depend from amended independent claim 18, and are thus allowable for at least the same reasons. Amended independent claim 21 recites similar features as amended independent claim 8, and thus is also allowable for at least the same reasons. Claims 22-26 depend from amended independent claim 21, and are thus allowable for at least the same reasons. Therefore, the rejection of claims 8-12, 15, and 18-26 should also be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicant’s attorney at the number listed below.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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